

JUN-24-2004 16:41

513 241 6234

RECEIVED
CENTRAL FAX CENTER

513 241 6234 P.01

JUN 24 2004

OFFICIAL

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FRIE
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
KRISTI L. DAVIDSON
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER

WESLEY L. STRICKLAND (VA. DC BAR ONLY)
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

June 24, 2004

FACSIMILE COVER SHEET

To: Commissioner for Patents

From: Beverly A. Lyman, Ph.D.

Fax: 703 872 9306

Re: Our File: ZYM-09US
Serial No. 09/971,902

Pages: (including cover sheet)

MESSAGE/COMMENTS

OFFICIAL FILING

Please file the attached:

Amendment - 3 pg.
Attachment A - 1 pg
Declaration - 3 pg.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being
deposited via facsimile to Commissioner for Patents,
Alexandria, VA 22313-1450, at fax number 703 872
9306 on


Jane A. Walker June 5, 2004
Date

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you.
If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

JUN-24-2004 16:41

513 241 6234

RECEIVED
CENTRAL FAX CENTER

513 241 6234 P.02

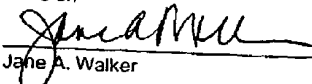
JUN 24 2004

OFFICIAL

PATENT

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to Commissioner for Patents, Alexandria, VA, 22313-1450, Technology Center 1600, ATTN: Examiner Hamud at 703 872 9306 on


Jane A. Walker June 24, 2004
Date

Serial No: 09/971,902
Conf. No.: 4028
Filed: October 5, 2001
Applicants: Oeltgen et al.
Title: **METHOD FOR TREATING CYTOKINE
MEDIATED HEPATIC INJURY**
Art Unit: 1647
Examiner: Hamud
Attorney Docket: ZYM-09US

Cincinnati, Ohio 45202

June 24, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

In response to the Office Action dated March 24, 2004, please
amend the above-identified application as follows:

Remarks/Arguments begin on page 2 of this paper.